

63

U.S. Department of Homeland Security
20 Mass. Rm. A3042, 425 I Street, N.W.
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

[REDACTED]

FILE:

[REDACTED]

Office: LOS ANGELES

Date:

SEP 23 2004

IN RE:

Obligor:

Bonded Alien

[REDACTED]

IMMIGRATION BOND:

Bond Conditioned for Voluntary Departure under § 240B of the Immigration and Nationality Act, 8 U.S.C. § 1229c

ON BEHALF OF OBLIGOR: Self-represented

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Mari Johnson

60 Robert P. Wiemann, Director
Administrative Appeals Office

PUBLIC COPY

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

DISCUSSION: The voluntary departure bond in this matter was declared breached by the Field Office Director, Detention and Removal, Los Angeles, California, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The record indicates that on September 10, 1999, the obligor posted a \$500.00 bond conditioned for his voluntary departure. An order of the immigration judge (IJ) dated September 7, 1999, was issued granting the alien voluntary departure in lieu of removal on or before October 7, 1999. The bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On June 14, 2002, the BIA affirmed, without opinion, the IJ's decision and granted the alien voluntary departure within 30 days from the date of the order. The alien filed a petition for review of the BIA's decision before the Ninth Circuit Court of Appeals. The court issued its final order denying the alien's petition on June 1, 2004. On March 24, 2004, the field office director concluded the bond had been breached.

The regulation at 8 C.F.R. § 103.2(a)(1) provides, in part, that "[e]very application, petition, appeal, motion, request ... shall be executed and filed in accordance with the instructions on the form, such instructions ... being hereby incorporated into the particular section of the regulations in this chapter requiring its submission." The instructions at item six on the appeal Form I-290B specifically require a signature of this form when the decision is appealed.

The Form I-290B was not signed by either the obligor or an attorney-in-fact. Therefore, the appeal has not been properly filed, and must be rejected.

ORDER: The appeal is rejected.